



# City of Rialto

## Legislation Text

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**File #:** 20-0903, **Version:** 1

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For City Council Meeting and the City of Rialto, Acting as the Successor to the Redevelopment Agency [January 26, 2021]

TO: Honorable Chair and Board Members

APPROVAL: Sean Grayson, Acting City Manager

FROM: Karen Peterson, Acting Community Development Director

Request City Council, acting as the Successor Agency, to Adopt **Resolution No. SA1-21** Terminating an Owner Participation Agreement By and Between the Rialto Redevelopment Agency and T.S. OPUS, LLC.

### **BACKGROUND**

On September 6, 2005 the Redevelopment Agency of the City of Rialto entered into an Owner Participation Agreement (OPA) with T.S. OPUS, LLC for purposes of redeveloping approximately 6.98 acres of real property located at the southwest corner of Alder Avenue and Walnut Avenue in the City of Rialto ("Site"). The conveyance and development of the Site occurred in two phases. The first phase ("Phase One") consisted of the Agency's sale to Participant of Lot 5 of Tract Map 16441 ("Phase One Property"), and the second phase ("Phase Two"), the Participant's option to acquire from the Agency Lots 3 and 4 of Tract Map 16441 (the "Phase Two Property").

While OPUS redeveloped the Site consistent with the OPA, they chose not to exercise the option to purchase Phase Two Property. The City of Rialto, as Successor Agency to the Redevelopment Agency of the City of Rialto, sold the Phase Two Property and subsequently approved a Tentative Parcel Map and Conditional Development Permit for consolidation of land and development of a 188,712 square foot industrial warehouse. The current owner of the Phase Two Property has requested removal of the OPA to clear title of any conflicts.

### **ANALYSIS/DISCUSSION**

Because the Rialto Redevelopment Agency was dissolved in 2012, the City Council, acting as the Rialto Successor Agency has been tasked with the winding down of the former Redevelopment Agency's affairs. Some actions of the Successor Agency require approval of the Oversight Board (a County entity), but this action would not require such approval as it does not create any financial liability and does not otherwise meet the oversight requirements of Health and Safety Code section 34180.

### **ENVIRONMENTAL IMPACT**

The proposed actions do not constitute a "project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(b)(5), a Project does not include: "Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the

environment.”

### **GENERAL PLAN CONSISTENCY**

This action is consistent with Guiding Principle 3A of the General Plan:

“Our City government will lead by example, and will operate in an open, transparent and responsive manner that meets the needs of the citizens and is a good place to do business.”

### **LEGAL REVIEW**

The City Attorney prepared and approved this report.

### **FINANCIAL IMPACT**

There is no financial impact with this action.

### **RECOMMENDATION**

Staff recommends that the Successor Agency approve a Resolution (Attachment 1) terminating an owner participation agreement by and between the Rialto Redevelopment Agency and T.S. Opus, LLC, and authorizing the execution of the Termination of Owner Participation Agreement (Attachment 2).